IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

WP(C).No. 5138 of 2006(J)

OS.53/2004 of PRINCIPAL SUB COURT,KOCHI

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PETITIONER:

VIJI ALIAS ELIZABETH, W/O.CHARLEY,
AGED 33, VADASSERY HOUSE, HOUSE NO.1/388,
CONVENT ROAD, ELOOR NORTH, UDYOGAMANDAL,
ERNAKULAM.

BY ADV. SRI.K.C.CHARLES
SRI.A.BALAGOPALAN

RESPONDENT:

SEBASTIAN, S/O.AUGUSTINE, AGD 36,
RESIDING AT CHERUKADU HOUSE,
RAMESWARAM VILLAGE, KOCHI TALUK.

BY ADV. SRI.V.L.SHENOY
SRI.L.JAYAWANTH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE PLAINT IN O.S.53/04.

EXT.P2: TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONER.

EXT.P3: TRUE COPY OF THE PETITION IA 574/2005 ACCOMPANIED BY THE AFFIDAVIT FILED BY THE PETITIONER.

EXT.P4: TRUE COPY OF CHALAN WITH RESPECT TO THE DEPOSIT MADE BY THE PETITINER FOR AN AMOUNT OF RS.3,500/- AS THE EXPERT BATA AS DIRECTED BY THE HONOURABLE SUBORDINATE JUDGE'S COURT.

EXT.P5: TRUE COPY OF THE STATEMENT FILED BY THE COUNSEL FOR PETITIONER ON 20.11.2005.

EXT.P6: TRUE COPY OF THE ORDER PASSED BY THE PRINCIPAL SUBORDINATE JUDGE'S COURT, KOCHI IN I.A.574/05 IN O.S.53/04 DATED 21.11.2005.

/TRUE COPY/

PA TO JUDGE.

M.SASIDHARAN NAMBIAR,J.

W.P.(C)NO.5138 OF 2006

DATED THIS THE 12th DAY OF DECEMBER, 2006

JUDGMENT

Learned Counsel appearing for petitioner and respondent submitted that the matter will be settled between the parties and compromise petition will be filed in O.S.53/04 before Principal Sub Court, Kochi, where the suit is pending and this writ petition may be dismissed.

This Writ petition is dismissed. Parties are at liberty to file compromise petition before the trial Court.

M.SASIDHARAN NAMBIAR,JUDGE

Acd